

REMARKS/ARGUMENTS

Applicant thanks Examiner for the detailed Office Action dated January 6, 2006. In response to the issues raised, the Applicant offers the following submissions and amendments. Also enclosed is a Terminal Disclaimer linking the term and ownership of any patent granted on the present application to that of US 6,692,108.

Amendments

The Applicant has update Page 1 of the specification by deleting its first line and replacing it with a paragraph entitled "Cross-Reference to Related Application".

The enclosed amendments correct minor antecedent and typographical errors identified by the Examiner. Applicant thanks the Examiner to bringing these errors to our attention. With regards to the claims 8 and 27, the ejection aperture has been defined as being less than 50 microns from the heater element. Basis for this found at page 20, line 30 of the description.

Accordingly, the amendments do not add any new matter.

Claim Objections

As discussed above, claims have been amended to correct the antecedent and typographical errors detailed in the Official Action.

35 U.S.C. §112 - Claims 8 and 27

Likewise, claims 8 and 27 have been amended to define that the ejection aperture is less than 50 microns from the heater element. We submit that the second reference to the ejection aperture in the original claims was an obvious error that the skilled worker would have readily resolved by reference to the description.

Nonstatutory Double Patenting

The enclosed Terminal Disclaimer links the term and ownership of any patent granted on the present application to that of US 6,692,108. The Applicant submits that this avoids any unjust timewise extension of patent rights or harassment from multiple assignees.

It is respectfully submitted that the Examiner's objections and rejections have been successfully traversed and the application is now in condition for allowance. Accordingly, favorable reconsideration is courteously solicited.

Very respectfully,

Applicant:



KIA SILVERBROOK

C/o: Silverbrook Research Pty Ltd
393 Darling Street
Balmain NSW 2041, Australia

Email: kia.silverbrook@silverbrookresearch.com
Telephone: +612 9818 6633
Facsimile: +61 2 9555 7762